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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

ANYA, CHARLES E

ART UNIT	PAPER NUMBER
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2126

DATE MAILED: 12/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/054,723	Applicant(s) MILLETT ET AL.	
	Examiner Charles E Anya	Art Unit 2126	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 November 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☒ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>11/27/04</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-30 are pending in this application.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 5-6 and 10 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

- a. The term listed below lacks antecedent basis:

- i. "the interface" – line 1 of claim 10;

- b. The following claim language are indefinite:

- ii. Claim 5, line 1, it is uncertain whether this is an apparatus or method claim (i.e. claims 1-2 are method claims, however, claim 5 is an apparatus claim. NOTE: Apparatus or computer-readable medium claims should not depend from method claims).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Pat. No. 6,714,793 B1 to Carey et al.

6. As to claim 1, Carey teaches a method of facilitating interactive communication between clients providing services and/or products and prospective users thereof (figure 1), the method comprising: providing access to a database of at least one client's user interest data on a network (Database 26 Col. 5 Ln. 44 – 49); permitting network access to the user interest data by a user via a remote interface (figures 3/4 Col. 5 Ln. 5 – 67); receiving a selection by the user of the client's user interest data/receiving entry by the user of user-specific data (“...message content information...” Col. 5 Ln. 16 - 21); providing access to a server which processes the user-specific data and the selected user interest data to produce response data (Instant Message Routing Server 24 “...repackages...” Col. 5 Ln. 44 – 57), and providing at least one recipient nominated by the client with access to equipment, which automatically exports the response data (“...send...” Col. 5 Ln. 56 – 57).

7. Carey is silent with reference to having processing software, however, it would be obvious to one of ordinary skill in art to include processing software to the existing system of Carey because by definition, software provides instructions causes the hardware to do work.

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8. As to claim 2, Carey teaches a method of facilitating interactive communication as claimed in claim 1, the method further comprising: establishing and/or maintaining the database (Database 26 Col. 5 Ln. 44 – 47).

9. As to claim 3, Carey teaches a method of facilitating interactive communication as claimed in claim 1, the method further comprising: processing the user-specific data and the selected user interest data to produce the response data (“...sends...” Col. 5 Ln. 53 – 57).

10. As to claim 4, Carey teaches a method of facilitating interactive communication as claimed in claim 1, the method automatically exporting the response data to the at least one recipient (“...sends...” Col. 5 Ln. 53 – 57).

11. As to claim 5, Carey teaches a method of facilitating interactive communication as claimed in claim 2, wherein a client-specific identifier for each client is stored in the database (Col. 3 Ln. 17 – 24, Col. 4 Ln. 29 – 33).

12. As to claim 6, A method of facilitating interactive communication as claimed in claim 5, wherein the database comprises at least one of a web server database, a subscriber database, an open user group database, and a closed user group database (Col. 3 Ln. 17 – 24).

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13. As to claim 7, Carey teaches a method of facilitating interactive communication as claimed in claim 1, wherein the user-interest data requires or elicits a user-specific response from the user (“...user enters...” Col. 5 Ln. 16 – 25).

14. As to claim 8, Carey teaches a method of facilitating interactive communication as claimed in claim 1, wherein the user-interest data comprise at least one of: product information and service information (“...user profile...” Col. 5 Ln. 44 – 47).

15. As to claim 9, Carey teaches a method of facilitating interactive communication as claimed in claim 1, wherein the user-interest data comprise information relating to the client's users and potential users (“...user profile...” Col. 5 Ln. 44 – 47).

16. As to claim 10, Carey teaches a method of facilitating interactive communication as claimed in claim 1, wherein the remote interface is a user interface (“...user interface...” Col. 5 Ln. 5 – 10).

17. As to claim 11, Carey teaches a method of facilitating interactive communication as claimed in claim 10, wherein the user interface is at least one of: a command interface, a graphic user interface (GUI), a web browser front-ending the graphic user interface of a personal computer, an interactive digital television, an application program interface (“...user interface...” Col. 5 Ln. 5 – 10).

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18. As to claim 12, Carey teaches a method of facilitating interactive communication as claimed in claim 1, wherein the user-specific data comprise at least one of contact details, a message, instructions, or details of an event ("...message content information..." Col. 16 – 20).

19. As to claim 13, Carey teaches a method of facilitating interactive communication as claimed in claim 1, wherein the response data is exported via at least one of the telephone, GSM, SMS, TTY, email and ICQ (Col. 53 – 67, Col. 6 Ln. 6 – 11).

20. As to claim 14, Carey teaches a method of facilitating interactive communication as claimed in claim 1, wherein the response data is directed to a third party (Col. 6 Ln. 6 – 11).

21. As to claim 15, Carey teaches a method of facilitating interactive communication as claimed in claim 1, further comprising at least one of screening, filtering and monitoring the user-specific data (Block 82 Col. 5 Ln. 23 – 25).

22. As to claim 16, Carey teaches a method of facilitating interactive communication as claimed in claim 1, wherein the user-specific data comprises a phone number ("...phone number..." Col. 5 Ln. 29 – 32).

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23. As to claim 17, Carey teaches a method of facilitating interactive communication as claimed in claim 16, wherein the phone number is exported to a third party (Col. 5 Ln. 29 – 43).

24. As to claim 18, Carey teaches a method of facilitating interactive communication as claimed in claim 1, further comprising utilizing a computer system associated with the user to notify the database of an event (figure 2 Col. 4 Ln. 6 – 23).

25. As to claim 19, Carey is silent with reference to a method of facilitating interactive communication as claimed in claim 1, further comprising assigning the user a unique identifier upon a first receipt of user-specific data.

However Carey describes an instant message that is stored by a short message service center (Col. 7 Ln. 16 – 17). This storing requires a unique identifier to uniquely associate the user to the instant message.

26. As to claim 20, Carey is silent with reference to a method of facilitating interactive communication as claimed in claim 19, wherein the identifier is sent back to the user as a cookie.

However one of ordinary skill in the art would have known to implement the system of Carey such that the identifier could be returned to the user as cookie when the user needs to make another request relating the instant message associated with the identifier.

27. As to claim 21, Carey teaches a signaling apparatus for facilitating interactive communication between clients providing services and/or products and prospective users thereof (figure 1), the signaling apparatus comprising: a database of at least one client's user interest data on a network (Database 26 Col. 5 Ln. 44 – 49); a remote interface permitting network access to the user interest data by a user, selection by the user of a client's user interest data and entry by the user of user-specific data (figures 3/4 Col. 5 Ln. 5 – 67); server which merges the user-specific data and the selected user interest data to produce response data; and a response module which automatically exports the response data to at least one recipient nominated by the client (Instant Message Routing Server 24 "...repackages..." Col. 5 Ln. 44 – 57). Also see the rejection of claim 1.

28. As to claim 22, Carey teaches a signaling apparatus as claimed in claim 21, wherein the response module comprises a switch (Instant Message Routing Server 24 Col. 5 Ln. 44 – 57).

29. As to claim 23, see the rejection of claim 1 above.

30. As to claim 24, Carey teaches a document validation method comprising the steps of providing software on the network to users thereof, the software providing an encrypted key on documents provided by the user ("...password..." Col. 6 Ln. 19 – 21),

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the encrypted key comprising user-specific data and each key being encrypted by the document whereby tampering is evident (“...message content...” Col. 6 Ln. 19 – 22), and enabling the same or another user to receive such documents and determine the identity of the sender from the user-specific data (figure 6/7 Col. 6 Ln. 61 – 67). Also see the rejection of claim 1.

31. As to claim 25, Carey teaches a method of validating the transmission of an electronic document over a network between users thereof, the method comprising: providing access to a database of user-specific data on the network (Database 26 Col. 5 Ln. 44 – 49); permitting access by a user to the database via a remote interface whereby the user may transmit an electronic document to a recipient nominated by the user/receiving entry by the user of user-specific data (figures 3/4 Col. 5 Ln. 5 – 67); encrypting the user-specific data (Col. 6 Ln. 21 – 22); providing access to server which processes the user-specific data and data corresponding to the electronic document to produce encrypted document-specific transmission data, and providing the recipient with access to equipment which automatically exports the transmission data (Instant Message Routing Server 24 “...repackages...” Col. 5 Ln. 44 – 57). Also see the rejection of claim 1.

32. As to claim 26, Carey teaches a method of validating the transmission of an electronic document as claimed in claim, the method further comprising: processing the

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encrypted user-specific data and data corresponding to the electronic document to produce encrypted document-specific transmission data (figure 5 Col. 6 Ln. 12 – 32).

33. As to claim 27, Carey teaches a method of validating the transmission of an electronic document as claimed in claim, the method further comprising: automatically exporting the transmission data over the network to the recipient nominated by the user (Col. 6 Ln. 6 – 11).

34. As to claim 28, Carey teaches a method of validating the transmission of a document as claimed in claim 25, wherein upon receipt by the recipient of the exported transmission data it is evident if the document has been tampered with (“...successful...” Col. 7 Ln. 30 – 50).

35. As to claim 29, Carey teaches a method of validating the transmission of a document as claimed in claim 25, wherein upon receipt by the recipient of the exported transmission data the identity of the user transmitting the document is evident (Col. 1 Ln. 65 – 67).

36. As to claim 30, Carey teaches method of validating the transmission of a document as claimed in claim 25, wherein upon receipt by the recipient of the exported transmission data the user transmitting the document is automatically alerted if it is evident that the document has been tampered with (“...replies...” Col. 7 Ln. 19 – 29).

Conclusion


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles E Anya whose telephone number is (571) 272-3757. The examiner can normally be reached on M-F (8:30-6:00) First Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, An Meng-Ai can be reached on (571) 272-3756. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Charles E Anya
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